

# **VILLAGE OF BARRINGTON HILLS**

Minutes of the Regular Meeting November 19, 2007

President Abboud called the Regular Meeting to order at 6:34 pm. Roll Call.

## Present

Robert G. Abboud, President  
Fritz H. Gohl, Pro-Tem  
Steven E. Knoop, Trustee  
\*George L. Schueppert, Trustee  
Julie McKevitt, Trustee  
Walter E. Smithe, Trustee  
Beth Mallen, Trustee  
Douglas Wambach, Village Attorney  
Robert Kosin, Director of Administration  
Michael N. Murphy, Police Chief  
Elaine Ramesh, Village Clerk

## Guests

Marty Robins, resident  
Kathy Soeder, resident  
Pam Cools, resident  
Howard Handler, NSBAR  
Sergeant Todd Borck, BHPD  
Mary Kay Gott, resident  
John Kuechmann, resident  
Stan Jakopin, resident

\* Trustee Schueppert arrived at 6:45 pm.

Trustee Gohl motioned to adjourn to Executive Session to discuss potential and pending legal matters, real estate and personnel matters at 6:35 pm. Trustee Smithe seconded. Roll Call.

Ayes: 6 (Mallen, Knoop, McKevitt, Smithe, Gohl, Abboud)

Nays: 0

Absent: 1 (Schueppert)

**Meeting Adjourned**

## **EXECUTIVE SESSION**

## **PUBLIC SESSION**

President Abboud called the Public Session to order at 7:58 pm.

## **MINUTES**

Trustee Mallen motioned to approve the minutes of the Regular Meeting of October 22, 2007 with certain corrections. Trustee Gohl seconded. All present said aye; except Trustee McKeivitt who abstained.

### **Motion Approved**

Trustee Gohl motioned to approve the minutes of the Executive Session of October 22, 2007 with certain corrections. Trustee Mallen seconded. All present said aye; except Trustee McKeivitt who abstained.

### **Motion Approved**

## **PUBLIC COMMENTS**

President Abboud opened a thirty-five minute session for public comments at 8:04 pm.

As an initial matter, President Abboud clarified that although many of the BACOG municipalities are involved in the intervention into the Canadian National Railway purchase of the E J & E line, BACOG itself is only peripherally involved in the issue.

Mary Kay Gott of 237 Donlea spoke for herself and her neighbors regarding concerns about two properties on her street: 229 Donlea and the home across the street. According to Mrs. Gott, 229 Donlea is being rented and the renters have been violating the Lacey Lake Homeowner's Association's rules. President Abboud suggested that an official complaint be registered with the police department about this matter. As to the property across the street, it appears that it contains an abandoned home. President Abboud requested that Roger Fox and the Police Department investigate whether or not the property is out of code.

As there were no further remarks, the public comments session ended at 8:15 pm.

## **FINANCE – Walter E. Smithe**

Treasurer's Report – Trustee Smithe presented the Treasurer's report for the month of October, 2007. Trustee Smithe motioned to accept the Treasurer's report as presented. Trustee Schueppert seconded. All present said aye.

### **Motion Approved**

Police Pension Board Report – Trustee Smithe motioned to accept the financial report of the Police Pension Board through October, 2007 including the summary of year-to-date activity prepared by Trustee Schueppert as presented. Trustee McKeivitt seconded. Roll Call.

Ayes: 7 (Mallen, Schueppert, Knoop, McKeivitt, Smithe, Gohl, Abboud)  
Nays: 0  
Absent: 0

**Motion Approved**

Presentation of Bills – Trustee Smithe motioned to approve the payment of the bills for the month of November to date of \$947,090.53. Trustee Schueppert seconded. Roll Call.

Ayes: 7 (Mallen, Schueppert, Knoop, McKeivitt, Smithe, Gohl, Abboud)  
Nays: 0  
Absent: 0

**Motion Approved**

Overtime Reports – Trustee Smithe motioned to approve \$5,006.45 in Police Department overtime expenses for October 1, through 15, 2007 and \$6,182.36 for October 16, through 31, 2007. The reasons for the overtime expenses were discussed. Trustee Schueppert seconded. President Abboud asked if the Board should approve overtime payments to Village Hall employees. Mr. Kosin indicated that Board approval will be requested going forward. Roll Call.

Ayes: 7 (Mallen, Schueppert, Knoop, McKeivitt, Smithe, Gohl, Abboud)  
Nays: 0  
Absent: 0

**Motion Approved**

FY 2008 Budget - Budget worksheets were provided to the Board for review. The Finance Committee previously met to discuss the budget and the levy, which the Board is to vote upon at the next meeting. Trustee Smithe motioned approval of the 2008 budget as presented. Trustee Gohl seconded. Roll Call.

Ayes: 7 (Mallen, Schueppert, Knoop, McKeivitt, Smithe, Gohl, Abboud)  
Nays: 0  
Absent: 0

**Motion Approved**

Purchase Authorization for the Village Administrator Resolution – Trustee Smithe motioned approval of Resolution 07-21 regarding authorization of Robert Kosin, Director of Administration, to enter into contracts not to exceed \$20,000.00 for the purchase of services and to enter into contracts not to exceed \$7,500.00 for the purchase of goods falling within the scope of the duties assigned to his office under Section 1-6-3 and subject to budget limitations on behalf of the Village during the period of January 1, 2008 through December 31, 2008. Trustee Schueppert seconded. All present said aye.

**Resolution 07-21 Approved**

Purchase Authorization for the Police Chief Resolution - Trustee Smithe motioned approval of Resolution 07-22 regarding authorization of Michael Murphy, Chief of Police, to enter into contracts not to exceed \$7,500.00 for the purchase of goods and to enter into contracts not to exceed \$20,000.00 for the purchase of services falling within the scope of the duties assigned to his office under Section 1-6-8 and subject to budget limitations on behalf of the Village during the period of January 1, 2008 through December 31, 2008. Trustee Schueppert seconded. All present said aye.

**Resolution 07-22 Approved**

Accounting Software Resolution - Trustee Smithe motioned approval of Resolution 07-23 to purchase financial accounting software from Harris Computer Systems for \$21,250.00. Trustee Gohl seconded. Roll call.

Ayes: 7 (Mallen, Schueppert, Knoop, McKevitt, Smithe, Gohl, Abboud)

Nays: 0

Absent: 0

**Resolution 07-23 Approved**

Communications Committee – Trustee Mallen reported that the final 50<sup>th</sup> Anniversary celebration took place last weekend at the Sanfillipo estate. The Committee suggested that a plaque of appreciation be presented to the Sanfillipo family for their contribution of the use of their premises to hold the event. Trustee Mallen also reported that the Communications Committee's website will have a new designer and a layout.

**ROADS AND BRIDGES – Julie McKevitt**

Monthly Report – Trustee McKevitt indicated that 2007 road & drainage programs have both been completed, although re-plantings related to the drainage program are still to be completed. Trustee McKevitt met with Cuba Township for a planning session to discuss snow handling procedures for the upcoming winter season. Trustee McKevitt and President Abboud will schedule a meeting with Senator Noland and Mark Beaubien about the plowing for Route 62.

Equestrian Commission - Trustee McKevitt reported that the Equestrian Commission did not meet in November.

**PLANNING – Steven E. Knoop**

Monthly Report – Trustee Knoop reported that the Comprehensive Plan was reviewed at the most recent meeting of the Planning Commission.

Development Committee – Trustee Knoop reported that the Development Committee did not meet in November.

**PUBLIC SAFETY – Fritz H. Gohl**

Monthly Report – Trustee Gohl deferred to Chief Murphy who presented the Police Report for activity in the month of October, 2007. Members of the Police Department completed several hours of training during the past month.

Police Vehicle Purchase - Trustee Gohl motioned approval of Resolution 07-24 authorizing the October purchase of a police vehicle having VIN No. 2G1WC58R379404176 for \$20,077.00. Trustee Smithe seconded. Roll Call.

Ayes: 7 (Mallen, Schueppert, Knoop, McKevitt, Smithe, Gohl, Abboud)  
Nays: 0  
Absent: 0

**Resolution 07-24 Approved**

Police Vehicle Purchase - Trustee Gohl motioned approval of Resolution 07-25 authorizing the November purchase of a police vehicle having VIN No. 2G1WC58RX7902893 for \$20,077.00. Trustee Smithe seconded. Roll Call.

Ayes: 7 (Mallen, Schueppert, Knoop, McKevitt, Smithe, Gohl, Abboud)  
Nays: 0  
Absent: 0

**Resolution 07-25 Approved**

Target Shooting Ordinance – Trustee Gohl motioned approval of Ordinance 07-19 regarding an amendment to Sec. 8-2-5 of the Village Code. Trustee Schueppert seconded. The trustees discussed modifications of the language of the ordinance and whether or not the activity should be prohibited on a five acre parcel. Comments from the audience and letters to the Board were taken into consideration. The Trustees determined that the Ordinance needed certain modifications. Each proposed

modification was debated and then voted upon individually before the ordinance as a whole was called to a vote.

Trustee Schueppert motioned to amend section C1 to strike the phrase “six hundred (600’)” and replace it with the phrase “one hundred feet (100’)”. Trustee Gohl seconded. All present said aye.

**Amendment Approved**

Trustee Schueppert motioned to amend Sec. C4 to strike the phrase “One Hundred Thousand Dollars (\$100,000)” and replace it with the phrase “Five Hundred Thousand Dollars (\$500,000)”. Trustee Mallen seconded. Roll Call.

Ayes: 0  
Nays: 7 (Mallen, Schueppert, Knoop, McKevitt, Smithe, Gohl, Abboud)  
Absent: 0

**Amendment Failed**

Trustee Schueppert motioned to amend section C11 to strike the phrase “at least ten (10) acres of land” and replace it with the phrase “a parcel of land zoned R-1”. Trustee Gohl seconded. All present said aye except Trustee Mallen who voted against the amendment.

**Amendment Approved**

Trustee Mallen motioned to amend section D to strike the last sentence and replace it with “No person under the age of 21 shall be allowed to fire or discharge a weapon.” This motion was not seconded.

**Amendment Failed**

Trustee Schueppert motioned to amend section D to add a sentence reading “No person shall be allowed to fire or discharge any weapon with any detectable amount of alcohol in their body.” Trustee Smithe seconded. All present said aye.

**Amendment Approved**

Three amendments to the ordinance were thus agreed upon. At the close of these discussions, the ordinance as a whole having been motioned, seconded and modified was voted upon. All present said aye.

**Ordinance 07-19 Approved**

Inverness BARN membership – Barrington has indicated that due to the technical limitations of the BARN network, the town doesn't wish to add Inverness as a member. President Abboud has indicated that he is looking into whether or not the technical limitations pointed out by Barrington need to be addressed from the standpoint of ability to meet the needs of the current members.

## **BUILDING AND ZONING – George L. Schueppert**

Building Permit Report – Trustee Schueppert reported that nine building permits had been issued during the month of October 2007. They included permits for one residence, one alteration, two demolitions and one site development. Trustee Schueppert noted that the total number of permits is down for the year.

552 Oak Knoll Rd. Protracted Construction Matter – The Village investigated the situation after receiving complaints from the neighbors about the prolonged status of the ongoing construction efforts. At that property, the Janke family is in the process of building a Frank Lloyd Wright-type home. At this point, it doesn't appear that the home can be finished by the time the building permit expires next spring.

Otis Rd Lot Sizes – Trustee Knoop requested an update on this matter, which had been discussed at a previous Board meeting. The Village Counsel reported that he is still looking into the matter.

ZBA Report – Trustee Schueppert reported that at the most recent meeting, the ZBA approved three variance requests. The ZBA also considered a Helm Rd. special use permit application from SAC Wireless. The matter will be considered again at the next meeting, after the applicants provide the answers to a number of the ZBA's questions.

Heritage Tree Preservation Ordinance – Trustee Schueppert motioned to approve Ordinance 07-20 regarding tree preservation. Trustee Mallen seconded. A Public Hearing was held on October 13<sup>th</sup> to allow public input on the proposed language of the ordinance. The ZBA then voted to send a final version of the ordinance to the Board which took the public comments into account. Howard Handler of the North Shore - Barrington Association of Realtors spoke about the proposed ordinance. He felt that the ordinance may be too burdensome; is overly vague; and should offer off-site mitigation. His written comments on the ordinance were provided for the Board's review. President Abboud asked several specific questions about Sec. 4-6-3 including who could do a survey (Sec. D-1); who would pay for the survey; how the acre in the definition of "Woodland" would be drawn on a particular parcel of land; and how the ordinance would be enforced. In light of the number of outstanding questions which require further review, Trustee Schueppert withdrew his motion to approve the ordinance and Trustee Mallen agreed to withdraw her second of the motion.

## **Motion Withdrawn**

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### **INSURANCE – George L. Schueppert**

Monthly Report – Trustee Schueppert reported that to date, payments for outstanding claims for the Village's previous healthcare insurance provider GreatWest have only been about a third of the total originally projected.

### **HEALTH, BUILDINGS & GROUNDS, ENVIRONMENT – Beth Mallen**

Strategic Plan for Village Building – Trustee Mallen reported that she will discuss the MacArthur Room furniture situation with the provider, as the new furniture received may not be appropriate for the Board's needs. Since the old furniture was sold already, the new furniture could potentially be used elsewhere in the building. The lock-up renovation continues to await custom items.

Environment Projects - Trustee Mallen also reported that the Flint Creek Watershed Partnership's latest plan has been issued for public comment and well inventories will be done in the Bateman Road area.

### **ATTORNEY – Douglas Wambach**

Attorney Wambach stated that matters of litigation had been addressed in Executive Session.

### **ADMINISTRATION – Robert G. Abboud**

2008 Meeting Calendar – A draft calendar of regularly scheduled meetings for 2008 was provided for the Trustees' consideration.

Busch/Laterza property donation – Mrs. Laterza's attorney met with the Village in order to discuss the property donation. Mrs. Laterza's attorney is to provide a draft document for the Village's review. At present, there is no indication that any money will be donated for ongoing maintenance beyond initial fence installation.

Committee Membership – Current committee membership lists were provided for the Trustees' consideration.

Trustee Mallen motioned to adjourn to a second Executive Session to discuss potential and pending legal matters, real estate and personnel matters at 11:46 pm. Trustee Schueppert seconded. Roll Call.

Ayes: 7 (Mallen, Schueppert, Knoop, McKeivitt, Smithe, Gohl, Abboud)

Nays: 0

Absent: 0



## **Meeting Adjourned**

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### **EXECUTIVE SESSION**

### **PUBLIC SESSION**

President Abboud called the Public Session to order at 12:52 am.

Release of Executive Session Minutes into the Public Record - Trustee Smithe motioned to authorize release of the portions of the written Executive Session minutes archives from 1984 to September 24, 2007 which refer to the following matters: the Hoffman Estates Intergovernmental Agreement; the Inverness Intergovernmental Agreement; the Finn Code Violation; the Bateman Rd. cell tower; the Moksymonko matter; the Wamberg matter; the Borys site development matter; the Horizon Farms matter; the Cazares/340 Old Sutton Rd. matter; the Life Changers matter; the Cashmore matter; the Irwin matter; the Doss matter; the Wright FOIA request; the MCC appeal, the Children's Learning Center matter and the Lyons matter into the public record. Trustee Schueppert seconded. All present said aye.

### **Motion Approved**

Trustee Mallen motioned to adjourn the Public Session at 12:55 am. Trustee McKevitt seconded. All present said aye.

### **Meeting Adjourned**

**Approved** \_\_\_\_\_